

Analysis of House Bill 4541

Topic:	Alcoholic Liquor at Motor Sports Events
Sponsor:	Representative Byrum
Co-Sponsors:	None
Committees:	House Regulatory Reform
Date Introduced:	March 22, 2005
Date of Summary:	April 20, 2005

Background: The Modular Building Institute estimates that more than 220,000 portable classrooms are currently used by public school systems in the United States. Schools have found portable classrooms to be a cost-effective method of keeping pace with enrollment growth. It is sometimes necessary to move portable classrooms from one school to another within the district or to another site on the same school grounds. School administrators need to be able to make such moves with a minimum of delay.

Description of Bill: The bill requires the Director of the Department of Labor & Economic Growth to promulgate rules establishing standards and requirements for relocation and reuse of used modular classrooms. The rules are required to contain inspection requirements for the relocated modular classroom at its original location, at its new location, or at any location where repairs are made.

Summary of Arguments

Pro: Modular classrooms require more specific and specialized construction requirements and procedures than provided in the current State Building Code. The bill will benefit school officials by providing for more appropriate requirements for modular classrooms, while continuing to protect the safety of children and teachers using the facilities.

Con: The original bill, which would have exempted modular classrooms from the State Construction Code, is preferred by some school officials, because the current code and inspection procedures are perceived as obstacles to relocating modular classrooms.

Fiscal/Economic Impact

(a) Department

Budgetary: There will be a small cost to the department related to promulgating the administrative rules required by the bill.

Revenue: There will be no revenue impact on the department.

Comments:

(b)State of Michigan

Budgetary: There will be budgetary impact on the state.

Revenue: There will be no revenue impact on the state.

Comments:

(c)Local Government

Comments: Responsibility for code enforcement may be delegated to local code enforcement agencies if both the school board and the local governing body make the required certifications under Public Act 306 of 1937, as amended. Currently, 12 local code enforcement agencies exercise code enforcement responsibilities with respect to school construction projects.

Other State Departments:

The Department of Education may also have an interest in this bill.

Any Other Pertinent Information:

The bill was introduced on behalf of Mr. Carl Edwards, owner of Duwell Modulares. The company is a broker that rehabilitates existing portable classrooms and sells or leases them to school districts. Another view of this issue was presented in Senate committee by Mr. Jim Hunt, who works for Thomas Construction & Manufacturing of Belding. They are a modular building manufacturer. Thomas Construction did not support the original bill, because they felt that an exemption for modular classrooms would be unfair to manufacturers of new facilities. Ultimately, both Mr. Edwards and Mr. Hunt signed off on the Senate substitute.

Administrative Rules Impact:

The bill requires the promulgation of administrative rules by the department. The rules are required to include inspection requirements for a relocated used modular classroom at its original location, at its new location, or at any location where repairs are made.